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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,323	12/09/2003	Steve Sucic	03-247	5016
34704	7590	09/28/2005	EXAMINER	
BACHMAN & LAPOINTE, P.C. 900 CHAPEL STREET SUITE 1201 NEW HAVEN, CT 06510			MAH, CHUCK Y	
			ART UNIT	PAPER NUMBER
			3677	

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/731,323	SUCIC ET AL.	
	Examiner	Art Unit	
	Chuck Mah	3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,4 and 10 is/are allowed.
- 6) ☒ Claim(s) 1,3,5-9 and 11-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 8, 11, 12, 15 and 16 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Gwozdz (3,725,973). Gwozdz shows various bushings. Each of the embodiments, for example figure 7, has a first bushing 27 having a cylindrical portion (sidewall), a shoulder (base wall), a second bushing 34, and a shoulder 35. The first bushing is made of metal and the second bushing is made of plastic. The first shoulder (the base wall) extends “radially outwardly” from the first cylindrical portion. The second 35 extends “radially outwardly” from the second cylindrical portion 34. Both bushings are press-fit. “smooth” is a relative term.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gwozdz '973 in view of Rainville (4,809,402).

'973 discloses the invention as claimed but for the lug being made of a composite. '402 teaches a hinge lug made of graphite composite for its high strength and corrosion resistance. It would have been obvious to one of ordinary skill in the art at the time the invention was made to form the hinge of '973 with graphite composite for the advantage of its high strength and corrosion resistance.

As to claim 3, titanium is well known for its lightweight, strong, wear and tear resistant characteristics. It would have been obvious to one skilled in the art to form the metal bushing of '973 with titanium to take the advantage of the above-mentioned characteristics to prolong durability.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gwozdz '973 for the same reason as stated in last paragraph, regarding claim 3.

6. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gwozdz '973 and Rainville '402 as applied to claims above, and further in view of Skinner et al. (US 2004/011864A1).

'973 does not show the first and second shoulder extending over the respective unloaded side and loaded side. Skinner et al. teaches a bushing having a first shoulder and second shoulder (62, 56) against the opposite sides of the opening of the lug (40) to protect the face-to-face contact or the parent material (paragraph 0008). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lug and bushing of '973 and '402 with a first shoulder and a second

shoulder against opposite sides of the opening to protect the face-to-face contact of the parent material.

Allowable Subject Matter

7. Claims 2, 4 and 10 are allowed.

Response to Arguments

8. Applicant's arguments filed 8/22/2005 have been fully considered but they are not persuasive. Applicant's primary argument is based on that the prior art references do not show the shoulder extending radially outwardly from the cylindrical portion. In fact, Gwozdz clearly shows such structure as claimed (see figure 7).

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

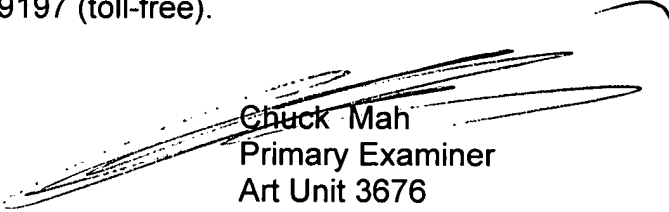
Art Unit: 3677

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Mah whose telephone number is (571)272-7059. The examiner can normally be reached on 5/4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Shackelford can be reached on (571)272-7049. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Chuck Mah
Primary Examiner
Art Unit 3676

CM